

Sixty-two dollars and eighty-six cents (\$62.86) on an open account which is still due, owing and unpaid, said bill being herewith filed as a part hereof and marked "Exhibit C".

3. That your Orator knows that said Berkeley Ward owed at the time of his death sums to various creditors aggregating over six thousand dollars, besides the amounts due your Orator just referred to, and left no personal estate sufficient to pay your Orator's note and claim hereinbefore mentioned.

4. That the said Berkeley Ward being so indebted as aforesaid unto your Orator, and also unto other creditors, departed this life, leaving a last Will and Testament, which has been duly probated in the Orphans' Court of Frederick County, Maryland, a certified copy of which last Will is herewith filed and made a part hereof, marked "Exhibit D", and Letters Testamentary were granted after said probate, as will appear by reference to a certificate of the Register of Wills of said Frederick County, herewith also filed, and made a part hereof, and marked "Exhibit E".

5. That said last Will above referred to and filed, contains no power of sale to the executors named therein, and as there is no way to carry out the first provision of the same, namely to pay all the just debts and obligations of the Testator, (there being an insufficiency of personal assets) without selling the real estate, your Orator avails himself or itself of these proceedings.

6. That the said Berkeley Ward left surviving him, a widow, Beris W. Ward, an adult, a resident of Frederick, Maryland; a son Berkeley Ward Jr. whose wife's name is Florence Miller Ward, both adults and residing in Collingswood, New Jersey, temporarily; and a daughter, Grace M. Ward, unmarried, an adult, also a resident of Frederick City, Maryland, all of whom are the devisees named in said last Will referred to.

7. That your Petitioners are informed and believe, and so charge therefore, that the said Berkeley Ward died seized and possessed of the above mentioned real estate, and that outside of a second hand automobile worth but a few hundred dollars, two hundred and fifty possibly, and a share of Francis Scott Key Hotel stock worth at market price, Sixty-five dollars, he was seized and possessed of no other property and estate, real or person-